

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

**CIVIL CONFERENCE
MINUTE ORDER**

BEFORE: A. KATHLEEN TOMLINSON
U.S. MAGISTRATE JUDGE

DATE: 7/16/10
TIME: 2:00 PM

Lederer-v- Newmatic Sound Systems, Inc., **CV-10-271 (JS) (AKT)**

TYPE OF CONFERENCE: **STATUS CONFERENCE**

APPEARANCES: Plaintiff Edmond R. Bannon
Mark Manewitz
Defendant Robert B. Golden
Craig Stainbrook

THE FOLLOWING RULINGS WERE MADE:

1. Counsel for the parties report that they were unable to resolve the specific outstanding issues discussed at the July 1, 2010 settlement conference. I advised counsel that the settlement conference that if we were unable to make further progress by today's telephone call, I would proceed to enter the Case Management and Scheduling Order. The parties had previously submitted two different versions of a proposed scheduling order because they were unable to agree on discovery deadline dates.
2. Defendants' counsel previously filed a motion to stay this action entirely in favor of defendants application to the USPTO to place the patent at issue in re-examination [DE 22]. That motion is pending before Judge Seybert. I advised the parties that I would speak with Judge Seybert and would make a determination whether discovery will proceed. The parties will be advised of that determination on ECF.

SO ORDERED

/s/ A. Kathleen Tomlinson
A. KATHLEEN TOMLINSON
U.S. Magistrate Judge